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THE VOICE OF LOCAL GOVERNMENT

TESTIMONY
of the
CONNECTICUT CONFERENCE OF MUNICIPALITIES
to the
EDUCATION COMMITTEE
March 8, 2010

CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities.

Raised House Bill 5425 "*An Act Concerning Special Education*".

Special Education is the single largest cost accelerant of education spending in Connecticut. It is estimated that special education costs grow 5%-6% per year, 1%-2% faster than most other education costs. How, and at what level, the State reimburses municipalities for these mandated costs is one of the hottest state-local issues - and the State has been falling behind.

With special education expenditures now topping the \$1.5 billion mark, the local share may now reach \$1 billion. Special education spending accounts for at least 14% of all education spending in Connecticut and costs keep growing faster than other school spending (5%-6% vs. 3%-4%). Complicating matters, unforeseen demands for the most expensive special education services too often result in local mid-year budget shuffling, supplementary appropriations, and other extraordinary measures. This is particularly true in smaller towns where the arrival of a single new high-cost special education student during the school year can create a budget crisis.

At present the Special Education Excess Cost Grant is not fully funded. Last year state funding for the program was cut by over \$13 million. While federal IDEA money was said to make up the difference, the method of distribution of the federal funding is not the same as where the State's reimbursements would go. Some towns received less than they should have. Next year's budget provides level-funding --\$120 million - for reimbursements, but the Department of Education expects applications for reimbursement to be over \$140 million - therefore the amount appropriated for reimbursements is already over \$20 million below where it should be.

CCM supports Section 3 of this bill which would align the "Burden of Proof" requirement in Connecticut with the federal government by placing the onus on the party requesting the hearing.

CCM opposes Section 2 of this bill which would create a new unfunded mandate on local governments by requiring behavior analyses and certain services for students with autism spectrum disorder. In addition, the bill specifies the qualifications of the individuals who would be administering the analysis and services.

CCM opposes Section 4 of this bill require boards of education to continue to pay for special education costs for students that have moved out of their districts. We understand the intent of this section – that some districts are financially penalized for having good programs because families move to those communities and they must now absorb the costs associated with the children.

But this proposal is not the way to address the problem. It would place the cost onto the student's previous town – but if the family no longer lives there, there is no nexus, no reason, to assess that municipality for the costs. People move for all sorts of reasons, reasons that may have nothing to do with their having a special education student. The long-term solution for this problem is for the State to take over the costs and administration of special education, perhaps delivering services through the RESCs – to ensure that the same levels of services are available in all towns. In the meantime, a starting point would be for the State to live up to its current obligations and fully fund the Excess Cost program.

Towns and cities have recently suffered a \$100 million cut in state aid in this biennium; the State is currently grappling with a \$500-\$700 million current year deficit; and, upwards of \$3 billion deficits faces us in the out years. In addition, as local costs rise ECS is expected to be "level-funded" with FY 08-09, and only due to federal ARRA funding.

This is not the time for the State to be increasing costs for any local education program, including special education.

The State is falling short on reimbursement commitments it has already made. It should not even consider imposition of new mandates until it has fulfilled those promises.

CCM urges the committee to delete Section 2 and Section 4 before taking any action.

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If you have any questions, please contact Kachina Walsh-Weaver, Senior Legislative Associate of CCM via email kweaver@ccm-ct.org or via phone (203) 498-3026.